



**IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:** Franz Ehrenleitner

**CASE:** OST-041220

**RESPONSE TO  
NOTICE TO FILE  
MISSING PARTS  
(filing date  
granted)**

**SER. NO.:** 10/710,153

**FILING DATE:** June 22, 2004

**FOR:** LIFTING APPARATUS

COMMISSIONER  
FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION OF:**

**EXAMINER:**

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

This is in response to the Notice to File Missing Parts, mailed July 28, 2004, a copy of which is attached.

The Notice indicated that the executed declaration was missing and replacements drawings were required. In response, Applicant herewith submits the fully executed declaration, new drawings and a check in the amount of \$170.00 (\$130.00 + \$40.00) for the surcharge and assignment fee. Accordingly, all outstanding missing parts identified in the Notice are submitted herewith, along with the appropriate surcharge fees.

**FACTOR & LAKE, LTD.**  
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Attached also is the certified copy of the priority document, namely German Patent Application No. 103 28 487.7. A communication amending the priority claim from the prior claim of German Patent No. 203 28 487.7 to the above application number is included with this communication.

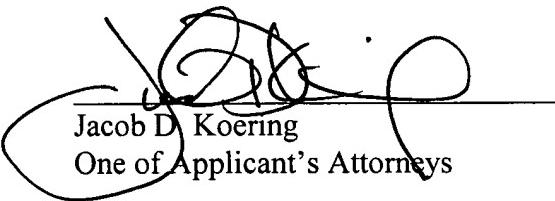
Lastly, Applicant submits herewith a fully executed assignment, Recordation Form Cover Sheet and the Assignment fee of \$40.00.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

Respectfully submitted,

FACTOR & LAKE, LTD.

Dated: September 28, 2004

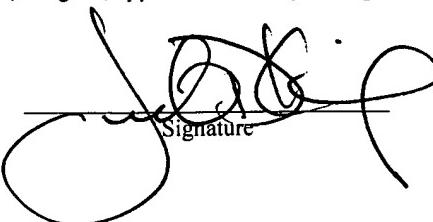
  
Jacob D. Koering  
One of Applicant's Attorneys

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 28, 2004

Jacob D. Koering

Name of Applicant, assignee, applicant's attorney or Registered Representative

  
Signature

IFW



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/710,153	06/22/2004	Franz Ehrenleitner	OST-041220

### CONFIRMATION NO. 4152

22876  
FACTOR-&LAKE, LTD.  
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### FORMALITIES LETTER



\*OC000000013366742\*

Date Mailed: 07/28/2004

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/05/2004 HLE333 00000044 10710153

**FILED UNDER 37 CFR 1.53(b)**

01 FC:1051

130.00 OP

*Filing Date Granted*

#### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 4.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*ov*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE